

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADAEVAN C. CENTENO,
Plaintiff,

v.

CHARLES DANIELS, et al.,
Defendants.

Case No.: 2:22-cv-01606-MMD-VCF

ORDER

On September 22, 2022, pro se plaintiff Evan Centeno, an inmate in the custody of the Nevada Department of Corrections, filed a complaint under 42 U.S.C. § 1983. (ECF Nos. 1-1, 1-2). But Centeno has not paid the \$402 filing fee for a civil action or applied to proceed *in forma pauperis*. The Court will grant Centeno a 60-day extension to correct this deficiency.

I. DISCUSSION

The United States District Court for the District of Nevada must collect reasonable fees to function. The fee for filing a civil action that is not a writ of habeas corpus is \$402, which includes the \$350 filing fee and the \$52 administrative fee. “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. Special R. 1-1. For an inmate to apply for *in forma pauperis* status, he must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous 6-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. Special R. 1-2. *In forma pauperis* status does not relieve an inmate of his obligation to pay the filing fee, it just means that he can do so in installments. See 28 U.S.C. § 1915(b).

1 As explained above, Centeno has not paid the \$402 fee for filing a civil action or
2 applied to proceed *in forma pauperis*. This action cannot proceed until Centeno corrects
3 this deficiency. The Court will grant Centeno a 60-day extension to do so.

4 **II. CONCLUSION**

5 It is therefore ordered that Centeno has **until December 6, 2022** to either pay the
6 full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all
7 three required documents: (1) a completed application with the inmate's two signatures
8 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
9 prison official, and (3) a copy of the inmate's trust fund account statement for the previous
10 6-month period.

11 Centeno is cautioned that this action will be subject to dismissal without prejudice
12 if he fails to timely comply with this order.

13 The Clerk of the Court is directed to send plaintiff Evan Centeno the approved form
14 application to proceed *in forma pauperis for inmate* and instructions for the same and
15 retain the complaint (ECF Nos. 1-1, 1-2) but not file it at this time.

16 DATED THE 6th day of October 2022.

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19 UNITED STATES MAGISTRATE JUDGE
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